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OFFICE OF PETITIONS

In re Application of	:	
Bulman et al.	:	DECISION ON PETITION
Application No. 10/784,482	:	TO WITHDRAW HOLDING OF
Filed: 19 February, 2004	:	ABANDONMENT
Atty. Dckt. No. 004906-018500US	:	

This is a decision on the petition, filed on 12 October, 2006, to withdraw the holding of abandonment in the above-identified application.

The application was held abandoned for failure to respond in a timely manner to the Office action requiring restriction and/or election mailed on 13 December, 2005. A Notice of Abandonment was mailed on 26 September, 2006.

Petitioners assert that a proper response was in fact timely filed in the form of an election, on 9 January, 2006. In support, petitioner has supplied a copy of the response including the election, bearing a certificate of mailing dated 9 January, 2006, signed by counsel's employee Mary Green.

Petitioners have also provided a statement by Ms. Green attesting to the fact that she mailed the envelope containing the response to the restriction requirement on 9 January, 2006.

As petitioner has provided convincing evidence that a proper and timely reply to the Office action mailed on 13 December, 2005, was timely filed on 9 January, 2006, the showing of record is that a response was timely filed, and there is no abandonment in fact. Any inconvenience caused to applicant is regretted.

The holding of abandonment is withdrawn, and the Notice of Abandonment is vacated.

The application will be referred to Technology Center Art Unit 3643 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.

A handwritten signature in cursive script, appearing to read "D Wood".

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions